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**THE  
LAWS OF ENGLAND**

**VOLUME XXIX.**



# THE LAWS OF ENGLAND

BEING

A COMPLETE STATEMENT OF THE WHOLE  
LAW OF ENGLAND.

BY

THE RIGHT HONOURABLE THE  
**EARL OF HALSBURY**  
LORD HIGH CHANCELLOR OF GREAT BRITAIN,  
1885-86, 1886-92, and 1895-1905,

AND OTHER LAWYERS.

VOLUME XXIX.

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LORD HIGH CHANCELLOR OF GREAT BRITAIN, 1885-86, 1886-92, and 1895-1905.

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## PUBLISHERS' PREFACE.

To the skilled practising lawyer there will be no more indispensable part of "THE LAWS OF ENGLAND" than the Consolidated Table of Cases which forms this volume. In searching for a complete statement of the Law of England on any particular subject it is convenient for the practitioner to have a Table of Cases as an alternative to a logical analysis of the law or to an Index of subject-matter. In the course of practice the reader has already formed his own guides to quick reference in the names of the cases which he has had occasion to consult, or to use in the course of argument, or to hear cited against him and accepted in court as leading cases on particular points of law. Such cases give the practitioner that rapidity of access to any particular point which is to him such an essential matter in the stress of modern practice.

The Publishers, therefore, confidently anticipate that subscribers and other users of "THE LAWS OF ENGLAND" will find the present volume of the greatest assistance.

In using this Consolidated Table of Cases to "THE LAWS OF ENGLAND" the following matters may be brought to the notice of the reader :—

### 1. ABBREVIATIONS.

The following abbreviations are used in the names of cases :—

Adm.	.	.	.	.	for Admiralty.
Act.	.	.	.	.	Action-gesellschaft.
Akt.	.	.	.	.	Aktien-gesellschaft, Aktiebolaget, Aktieselskabet.
Appln.	.	.	.	.	Application.
Appln. to Regr. & Trade					Application to Register a Trade Mark.
Mk.					

<i>Re Arbn. betn.</i>	.	.	for <i>Re Arbitration between.</i>
<i>Archbp.</i>	.	.	<i>Archbishop.</i>
<i>Assce.</i>	.	.	<i>Assurance.</i>
<i>Assocn..</i>	.	.	<i>Association.</i>
<i>A.-G.</i>	.	.	<i>Attorney-General.</i>
<i>Bkpcy. Ptn.</i>	.	.	<i>Bankruptcy Petition.</i>
<i>Bp.</i>	.	.	<i>Bishop.</i>
<i>B. C.</i>	.	.	<i>Borough Council.</i>
<i>Bldg. Soc.</i>	.	.	<i>Building Society.</i>
<i>Cambridge Corpn.</i>	.	.	<i>Mayor, Aldermen and Burgesses of Cambridge.</i>
<i>Co.</i>	.	.	<i>Company.</i>
<i>Comrs.</i>	.	.	<i>Commissioners.</i>
<i>Corp n.</i>	.	.	<i>Corporation.</i>
<i>Devonshire (Duke)</i>	.	.	<i>Duke of Devonshire.</i>
<i>Eccl.</i>	.	.	<i>Ecclesiastical.</i>
<i>Electn. Ptn.</i>	.	.	<i>Election Petition.</i>
<i>Erith Overseers</i>	.	.	<i>Erith, in the County of Kent (Over- seers of the Poor of the Parish of).</i>
<i>G. E. Ry.</i>	.	.	<i>Great Eastern Rail. Co.</i>
<i>G. N. of Scotland Ry.</i>	.	.	<i>Great North of Scotland Rail. Co.</i>
<i>G. N. Ry.</i>	.	.	<i>Great Northern Rail. Co.</i>
<i>G. N. Picc. &amp; Brompton Ry.</i>	.	.	<i>Great Northern, Piccadilly and Brompton Rail. Co.</i>
<i>G. S. &amp; W. Ry. of Ire- land.</i>	.	.	<i>Great Southern and Western Rail. Co. of Ireland.</i>
<i>G. W. Ry.</i>	.	.	<i>Great Western Rail. Co.</i>
<i>Grdns.</i>	.	.	<i>Guardians.</i>
<i>I. R.</i>	.	.	<i>Inland Revenue.</i>
<i>Insce.</i>	.	.	<i>Insurance.</i>
<i>JJ.</i>	.	.	<i>Justices.</i>
<i>Ltd.</i>	.	.	<i>Limited.</i>
<i>L. &amp; B. Ry.</i>	.	.	<i>London and Brighton Rail. Co.</i>
<i>L. &amp; N. W. Ry.</i>	.	.	<i>London and North Western Rail. Co.</i>
<i>L. &amp; S. W. Ry.</i>	.	.	<i>London and South Western Rail. Co.</i>
<i>L. &amp; Y. Ry.</i>	.	.	<i>Lancashire and Yorkshire Rail. Co.</i>
<i>L. B.</i>	.	.	<i>Local Board.</i>
<i>L. G. Board</i>	.	.	<i>Local Government Board.</i>
<i>L. B. &amp; S. C. Ry.</i>	.	.	<i>London, Brighton and South Coast Rail. Co.</i>
<i>L. C. &amp; D. Ry.</i>	.	.	<i>London, Chatham and Dover Rail. Co.</i>
<i>L. C. C.</i>	.	.	<i>London County Council.</i>
<i>London Corp n.</i>	.	.	<i>Mayor and Corporation of London.</i>
<i>Mags.</i>	.	.	<i>Magistrates.</i>
<i>M. S. &amp; L. Ry.</i>	.	.	<i>Manchester, Sheffield and Lincoln- shire Rail. Co.</i>
<i>Midland G. W. Ry.</i>	.	.	<i>Midland Great Western Rail. Co.</i>
<i>N. B. Ry.</i>	.	.	<i>North British Rail. Co.</i>
<i>N. E. Ry.</i>	.	.	<i>North Eastern Rail. Co.</i>
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<i>R. v. St. Mary (Inhabi- tants).</i>	.	.	<i>R. v. Inhabitants of St. Mary.</i>
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<i>R. D. C.</i>	.	.	<i>Rural District Council.</i>

R. S. A.	.	.	for Rural Sanitary Authority.
Regn. of Trade Mk.	.	.	Registration of Trade Mark.
Regr. a Trade Mk.	.	.	Register a Trade Mark.
S. E.	.	.	Settled Estates.
S. E. & C. Ry.	.	.	South Eastern and Chatham Rail. Co.
S. E. Ry.	.	.	South Eastern Rail. Co.
Sackvil (Sir George)	.	.	Sir George Sackvil.
St. Botolph - without - Aldgate (Vicar).	.	.	Vicar of St. Botolph-without-Aldgate.
St. Margaret, Rochester, Burial Board.	.	.	Burial Board of St. Margaret, Rochester.
Soc.	.	.	Society.
Soc. An.	.	.	Société Anonyme, Sociedad Anonima or Societa Anonima.
Sttlmt.	.	.	Settlement.
Tele. Co.	.	.	Telegraph Co.
Trade Mk.	.	.	Trade Mark.
Tram. Co.	.	.	Tramways Co.
Union Asst. Com.	.	.	Union Assessment Committee.
U. C.	.	.	Urban Council.
U. D. C.	.	.	Urban District Council.
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## 2. ALPHABETICAL ORDER.

The Index is in alphabetical order, first of plaintiffs, and secondly (for cases having the same name for the plaintiff) of defendants.

Cases in which the casual ejector was defendant (for example, *Doe d. Douglas v. Lock*) are arranged in alphabetical order of defendants without regard in each case to the name of the plaintiff's lessor.

Abbreviated names come in the places in which they would come if written in full.

## 3. CITATIONS.

The dates of cases are given in brackets; citations of cases are not given, unless there are two or more cases of the same name and same date, when for the purpose of distinction the citation is added to each case.

The abbreviations of the names of the reports are the same as those used in the rest of the work. (See Vol. XXVIII.)

4. REFERENCES.

Arabic figures in Clarendon type (thus, 27) refer to VOLUMES.

Arabic figures in Roman type (thus, 438) refer to PAGES.

5. SUBJECT-MATTER OF CASE SET OUT.

A feature of the Consolidated Table of Cases is that the name of the title in which the case is cited appears in an abbreviated form between the number of the volume and the number of the page in the reference. The Publishers are confident that subscribers will appreciate the advantage to be derived from this addition, by which they will be able to discover the precise subject in respect of which the case is cited, and for which they are looking, without having to go through a very large number of references. The abbreviated forms of the titles of the work are set out below :—

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For example, suppose a practitioner desires to know his own duty to a given client of his in advising him as to the disposition of his property, he may well be aware and may think of the case of *James v. Couchman*. Using the present volume he will find the following entry :—

“ James v. Couchman (1885) ; 15. *Fraud. Conv.* 106 ;  
21. *Mistake*, 24, 29 ; 25. *Sttlmts.* 569 ; 26. *Solrs.*  
757 ; 28. *Trusts*, 160.”

Inasmuch as the title “ Solicitors ” is clearly that for which he would naturally be looking, he is at once put on to the precise page on which he will find the subject-matter for which he is looking, namely, p. 757 of Vol. 26.

BUTTERWORTH & COMPANY.

October 1st, 1915.

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CONSOLIDATED  
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- , *Ex parte, Re* Driver. See Driver, *Re, Ex parte* Official Receiver.
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